IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3094 OF 2002
IN
FIRST APPEAL NO.873 OF 2002

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri Dr. V.K.Chaudhari for the Applicants.
Shri P.M.Arjunwadkar i/by Shri G.S.Godbole for the Respondent No.1.

CORAM : A. S. OKA, J.

DATE : FEBRUARY 06, 2007.

P.C.:

1. Heard Advocates appearing for the parties. The impugned decree is a money decree passed in favour of the first Respondent Bank. Therefore, the Applicant is not entitled to stay unless the entire decretal amount is deposited. Hence, Civil Application is disposed of by passing following order:

(i) There will be interim relief in terms of prayer clause (C) subject to condition of the Applicant depositing

the entire decretal amount with the trial Court within period of four months from today. If compliance is not made, interim relief will not stand vacated without further reference to the court. If compliance is made, the trial Court will permit the first Respondent or its successor to withdraw the said amount subject to giving an undertaking to redeposit the amount with appropriate rate of interest in case the Applicant succeeds in Appeal.

(ii) No orders as to costs.

(iii) Civil Application is disposed of in above terms.

JUDGE